

HOUSE BILL 145

J1

11r0612

By: Delegates Hubbard, Barnes, Bobo, Branch, Braveboy, Costa, Cullison, Frush, Gaines, Holmes, Hucker, A. Kelly, Lee, Mizeur, Murphy, Nathan-Pulliam, Niemann, Oaks, Pena-Melnyk, Rosenberg, Ross, Tarrant, V. Turner, Valentino-Smith, Waldstreicher, Walker, ~~and Zucker~~ Zucker, Donoghue, Kipke, Morhaim, Pendergrass, and Reznik

Introduced and read first time: January 26, 2011

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2011

CHAPTER _____

1 AN ACT concerning

2 **Health – Cadmium in Children’s Jewelry – Prohibition**

3 FOR the purpose of prohibiting a person, on or after a certain date, from
4 manufacturing, selling, offering for sale, or distributing in the State certain
5 children’s jewelry that contains a certain amount of cadmium; ~~requiring~~
6 authorizing the ~~Department of Health and Mental Hygiene, in consultation~~
7 ~~with the~~ Department of the Environment, to adopt certain regulations;
8 providing that this Act does not apply to certain toys regulated under a certain
9 federal law; defining certain terms; and generally relating to a prohibition on
10 cadmium in children’s jewelry.

11 ~~BY adding to~~
12 ~~Article – Health – General~~
13 ~~Section 24–305~~
14 ~~Annotated Code of Maryland~~
15 ~~(2009 Replacement Volume and 2010 Supplement)~~

16 BY adding to
17 Article – Environment
18 Section 6–1401 through 6–1404 to be under the new subtitle “Subtitle 14.
19 Cadmium in Children’s Jewelry”

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
MARYLAND, That the Laws of Maryland read as follows:

~~Article – Health – General~~

~~24-305.~~

Article – Environment

SUBTITLE 14. CADMIUM IN CHILDREN’S JEWELRY.

6-1401.

(A) ~~(1)~~ IN THIS ~~SECTION~~ SUBTITLE THE FOLLOWING WORDS HAVE
THE MEANINGS INDICATED.

~~(2)~~ (B) “CADMIUM” MEANS ELEMENTAL CADMIUM AND ANY
COMPOUND OR ALLOY THAT CONTAINS CADMIUM.

~~(3)~~ (C) “CHILDREN’S JEWELRY” MEANS ANY JEWELRY,
INCLUDING A CHARM, BRACELET, PENDANT, NECKLACE, EARRING, OR RING,
AND ANY COMPONENT OF JEWELRY, DESIGNED OR INTENDED TO BE WORN OR
USED BY A CHILD UNDER THE AGE OF ~~12~~ 13 YEARS.

6-1402.

~~(D)~~ ON OR AFTER JULY 1, 2012, A PERSON MAY NOT MANUFACTURE,
SELL, OFFER FOR SALE, OR DISTRIBUTE IN THE STATE ANY CHILDREN’S
JEWELRY THAT CONTAINS CADMIUM AT MORE THAN 0.0075% BY WEIGHT.

6-1403.

~~(E)~~ THE ~~DEPARTMENT OF HEALTH AND MENTAL HYGIENE, IN~~
~~CONSULTATION WITH THE~~ DEPARTMENT OF THE ENVIRONMENT, ~~SHALL~~ MAY
ADOPT REGULATIONS TO IMPLEMENT THIS ~~SECTION~~ SUBTITLE.

6-1404.

~~(F)~~ THIS ~~SECTION~~ SUBTITLE DOES NOT APPLY TO ANY TOY REGULATED
FOR CADMIUM EXPOSURE UNDER THE FEDERAL CONSUMER PRODUCT SAFETY
IMPROVEMENT ACT OF 2008.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2011.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.